



RESOLUTION No. 2020-21-11

AUTHORED BY: Roman Sotomayor, Social Justice and Equity Officer
REFERRED TO: A.S. Board of Directors
ADOPTED: January 29, 2021

SUBJECT: Resolution to Support Trans* Lives & Prosperity

WHEREAS, the Associated Students (Associated Students.) Board of Directors of Humboldt State University (HSU) is the single recognized voice for over 6,500 students; and,

WHEREAS, the Mission of the Associated Students of Humboldt State University serves to "assist in the protection of rights and interests of the individual student and the student body," and to "stimulate the educational, social, physical, and cultural well-being of the University community"; and,

WHEREAS, Associated Students has a documented history of supporting transgender students dating back to 2012.¹

WHEREAS, On June 15, 2020, the Supreme Court ruled that Title VII of the Civil Rights Act of 1964, the federal law that prohibits discrimination on the basis sex, also protects employees from discrimination on the basis of their sexual orientation or gender identity. The Opinion of the Court, delivered by Justice Gorsuch, includes the following statement:

An employer who fires an individual for being homosexual or transgender fires that person for traits or actions it would not have questioned in members of a different sex. Sex plays a necessary and undisguisable role in the decision, exactly what Title VII forbids.

WHEREAS, Title IX is a federal law that was passed in 1972 to ensure that male and female students and employees in educational settings are treated equally and fairly. It protects against discrimination based on sex (including sexual harassment). In addition, Title IX protects transgender students and students who do not conform to gender stereotypes. State law also prohibits discrimination based on gender (sex), gender expression, gender identity, and sexual orientation. The preamble to Title IX of the Education Amendments of 1972 states that:

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

¹ https://associatedstudents.humboldt.edu/sites/default/files/2019-20-03_well-being_signed.pdf
<https://associatedstudents.humboldt.edu/sites/default/files/2016-17-14.pdf>
https://associatedstudents.humboldt.edu/sites/default/files/Resolution_No._2014-15-24_0.pdf
https://associatedstudents.humboldt.edu/sites/default/files/Resolution_No._2014-15-22_0.pdf
https://associatedstudents.humboldt.edu/sites/default/files/Resolution_2012-13-9_signed_copy_0.PDF

WHEREAS, The California Department of Education further states that:

It is the policy of the State of California that all persons, regardless of their gender, should enjoy freedom from discrimination of any kind in the educational institution of the state.

WHEREAS, Based on analysis of data from the Cooperative Institutional Research Program (CIRP) Freshman Survey, which was modified in 2015 to allow students to indicate whether they identify as transgender, the following was found:²

1. The proportion of transgender students facing major financial concerns was more than 50 percent higher than the nationally normed sample.
2. [M]any transgender students may not be able to count on parental financial support for college if their parents take issue with their gender identity. (...) the proportion of transgender students (34.9 percent) who reported they will likely need to work full time during college was about 6 percentage points higher than that of the national sample (28.5 percent).
3. 47.2 percent of transgender students reported feeling depressed frequently, as compared to 9.5 percent of the national sample.
4. Transgender students (...) are about 13 percentage points more likely to participate in online social networks for six or more hours per week (39.7 percent versus 26.3 percent).
5. This latter finding is especially important because transgender students infrequently have access to supportive transgender networks on campus. Even membership in LGBTQ student organizations tends to be predominantly cisgender, so transgender students often have a difficult time meeting other transgender people on campus.

WHEREAS, Based on these findings, authors Ellen Bara Stolzenberg and Bryce Hughes make several recommendations to colleges and universities:³

1. “adopt procedures that allow students to use their preferred names and pronouns when interacting with institutional agents, including faculty and student services professionals.”
2. “adopt policies that protect the right of students to access the locker, changing, or restroom facilities designated for their gender identity and ensure that all campus buildings include a gender-inclusive facility that gender nonconforming students can access”
3. “provide professional development opportunities designed specifically to enable faculty and staff to more competently and effectively support the needs of transgender students.”
4. As for campus leaders, Stolzenberg and Hughes recommend that they “should work to create an environment in which students are comfortable enough to be open about who they are, they also should understand when transgender students need to seek community and support off campus (...)”.

WHEREAS, Associated Students. adds to this list the following:

² https://www.aacu.org/liberaleducation/2017/spring/stolzenberg_hughes

³ Ibid

1. Adopt policies and procedures that enrich the transgender student experience and ensure transgender students are seen as existing alongside faculty, staff, and administrators.
2. Adopt policies that use gender neutral language on all University websites, policy, and documents. This means eliminating his/her style of writing for “they/them” alternatives where appropriate.
3. Adopt policies that allow students to have the correct name on their diplomas and all university documents without requiring students to process a legal name change.
4. Adopt policies that prevent faculty and staff from separating classrooms and field trips by perceived binary genders. (i.e. “Alright, women on one team, men on another team.”)
5. Adopt policies that ensure all faculty, staff, and administrators are aware of the reporting process for transphobic harassment and violence. This way they can better advise their students if the need arises.
6. Adopt policies that prevent faculty from engaging in first day of class introductions that require students to verbally share their gender with the classroom. This gives students who aren’t out yet a choice between outing themselves or misgendering themselves verbally which can be upsetting.
7. Adopt educational goals and provide learning experiences that center trans* history, identity development, and self-authorship.
8. Adopt educational goals that break away from teaching and enforcing a strict gender binary, which is no longer supported by the research, especially in science courses.

WHEREAS, Associated Students. believes the safety of transgender, gender non-binary, and gender non-conforming students should be a campus priority given our rural location and the dangers the local community pose to transgender students, especially following a local incident of violent transphobia,⁴

WHEREAS, Humboldt State has recently begun leading change through the creation of a Trans* Wellness Working Group (to be named); therefore be it resolved that:

RESOLVED, that the Associated Students of Humboldt State calls on the University Senate to prioritize policies that can easily be re-written with gender inclusivity in mind.

RESOLVED, that the University Senate, upon making any changes, publicize those changes via a website such as genderinclusion.humboldt.edu to ensure all campus persons are aware of these changes and HSU’s commitment to transgender students. This website could also be a hub of resources and information for students, staff, faculty, and administrators.

RESOLVED, that the Associated Students of Humboldt State calls on the Campus Division of Enrollment Management to begin the assessment and evaluation of trans* inclusionary support across campus.

RESOLVED, that the Associated Students of Humboldt State calls on the campus to remove “LGBT+ Friendly Institution” from its website until it has proven that it is a LGBT+ Friendly Institution.

⁴ <https://www.times-standard.com/2020/07/06/more-than-30-gather-in-support-of-transgender-teen-assaulted-by-neighbor/>

RESOLVED, that copies of this resolution be sent to, but not limited to President Tom Jackson, The Lumberjack, El Leñador, the University Senate, the Eric Rofes Center, the Queer Student Union, the Director of the Office of Diversity Equity and Inclusion